

Scire facias may issue on judgments in the late general court or court of appeals, returnable to the county court—how to be tested

ing in the late general court of either shore, or in the late court of appeals, the late clerks, and the clerks hereafter appointed, respectively, shall, upon application as aforesaid, issue the said *scire facias*, directed to the sheriff of the proper county, and shall transmit therewith a short copy of the said judgment or proceeding under the seal of the late courts, or of the court of appeals hereafter, as the case may be, and it shall be made returnable to the place, and at the time, herein prescribed for holding the court for said county, and shall be tested in the name of the late presiding judge of the respective court, or in the name of the chief judge of the court of appeals, as the case may be, and shall be of the same effect, and be valid in law, to every legal intent, and be proceeded upon in like manner, as writs of *scire facias*, which issued, or shall issue, from the county courts, on judgments obtained therein in similar cases have heretofore issued from said courts respectively, any law to the contrary notwithstanding.

By 1806, ch. 90, sec. 2, the clerk of the county court may renew any such writ of *scire facias*, if it has not been executed by the sheriff. See November 1812, ch. 145, as to *scire facias* against heirs or terre tenants.

SEC. 30. Makes provision for the distribution of papers belonging to the late general court.

SEC. 31. Continues the clerks in office and validates their acts until their successors are appointed,

Where a difference of time existed, &c. that in county court to prevail.

SEC. 32. *And be it enacted*, That in all instances whatever, where a difference of time existed in the general court and the county court, for the doing of the same or similar matters or things, that the time prescribed for the county court shall prevail.

SEC. 33. Makes acts done, by late county courts valid.

SEC. 34, 35, 36. Makes valid recognizances of bail, bail bonds, and judicial acts, made or entered into, between the abolition of the old courts, and the adoption of this system.

Deeds, &c. acknowledged, &c. to be valid.

SEC. 37. *And be it enacted*, That all deeds for land, or other property, as well as every other instrument of writing, that has been, since the said thirtieth of November, or that shall be, before the first day of March next, executed or acknowledged before any judge of the general court, or before any chief justice of a district, or before any one or more associate justices of the county court, shall have the same effect and operation, to all intents and purposes whatever, as if the general court, or county court, had not been changed or abolished, any law to the contrary notwithstanding.

See 1807, ch. 52, confirming all deeds acknowledged before two justices of the peace. See also November 1809, ch. 164.

All causes, pleas, &c. depending

SEC. 38. *And be it enacted*, That all causes, pleas, process and proceedings, of every kind whatsoever, either civil or criminal, which were depending and undetermined on the aforesaid